

### REMARKS

#### **Brief synopsis of changes to the claims:**

Claims 1-62, 64-95, 97-105, and 107 are now in this application.

Claims 19-22, 50-56, 96-97, and 99 were indicated to be allowable in the first Office action.

Accordingly, claims 50 and 51 have been amended to incorporate, essentially verbatim, the claims on which they depended.

In similar fashion, claim 19 has been made independent, however the material of claims 9 and 18, which is felt to be not significant toward patentability, has been left out.

Instead of revising claim 96, claim 96 has been incorporated into claim 95, along with the material from claim 72. As compared to original claim 96, the material from claims 89, 91, and 92, which was not felt to be significant toward patentability, has been left out.

The recitations that have been left out from claims 19 and 95/6 are considered to be non-essential toward allowability, and thus claims 19, 50, 51 and 95, as well as the claims that depend on them, should clearly be considered to be allowable.

Claim 63, with minor revisions, has been incorporated into claim 1, and claim 106, also with minor revisions, has been incorporated into claim 72.

### **Arguments re Prior Art:**

With regard to the examiner's rejection of claims 63-65, and 106, the examiner has indicated that the patent to Davis et al, at column 3, line 26-42, teaches means to disconnect the call before a connection is made. However, this is not the case. In column 3, lines 26-42, Davis et al indicate that the remote unit senses a change, and depending upon what the change is, their apparatus dials one of three numbers. The headend receives the call, and sends back a signal at 300 Hertz. Thus clearly, the headend has answered the call so as to be able to send a message back to the remote unit. Then the remote unit sends a signal at 1,500 Hertz to say "yes, it was me that sent the message". Again, it is clear that a connection between the two has been completed for such communications to be sent. In column 3, lines 40-42, Davis et al indicate that after the above communication, the units are then disconnected. Clearly, the two units in Davis et al connect to each other, and, as opposed to the recitations of former claims 63 and 106, now incorporated into claims 1 and 72 respectively, where it is clearly recited that the connection is never completed, but rather that the information is passed by means other than connecting the call between the units.

This constitutes one of the clear advantages of the applicants' invention. The ability to gather information and transmit that information before a call is actually completed, and in fact end the call before it is connected. This assures that the data is transferred in as little time as possible.

In claims 66-68, this means is recited as the caller ID unit. Accordingly, the caller ID unit is an integral part of the means for passing information without completing a phone call. However, in the patent to Davis et al, there is no mention of a caller ID unit. Davis et al does say that the cable television computer determines, by the caller's telephone number, which addressable converter box is to be unscrambled, but this is not the same as saying that the cable company uses a "caller ID" unit for such purposes.

**Letters to the Draftsman:**

By two separate letters to the draftsman, changes have been requested for the drawings, which should remove the examiner's objections to the drawings for not showing all of the claimed subject matter, and also for not including reference numerals correlated to the specification.

In particular, in the **first letter to the draftsman**, reference characters have been added to each of the drawings, and in figure 3, a representation of the material 45, line 47, contacts 88, and ranging unit 130 have each been added. These features are all clearly disclosed in the original specification and claims.

In a **second letter to the Draftsman**, two new drawings have been added, as figures 3A and 3B. Support for these new drawings can be found throughout the specification.

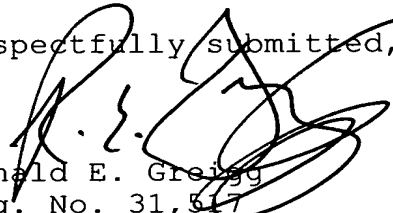
More especially for figure 3A, support is found in the original specification at page 11, line 3 through page 12, line 20. Support for figure 3A can also be found in original claims 17, 19, 20 and 21, and in the new, substitute specification at page 13, line 12 through page 16, line 11.

For figure 3B, support is most directly found in the original specification at page 13, line 1 through page 16, line 10, as well as in original claims 26-28, and 47-50, and also in the substitute specification at page 16, line 12 through page 22, line 22.

If it would help the examiner, the examiner is requested to phone the undersigned with specific questions as to where support for any particular features can be found. The undersigned will be happy to schedule an interview to go through these drawings to point out where in the original specification support can be found.

Reconsideration and allowance of the claims is courteously solicited.

Respectfully submitted,



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Fig. 1

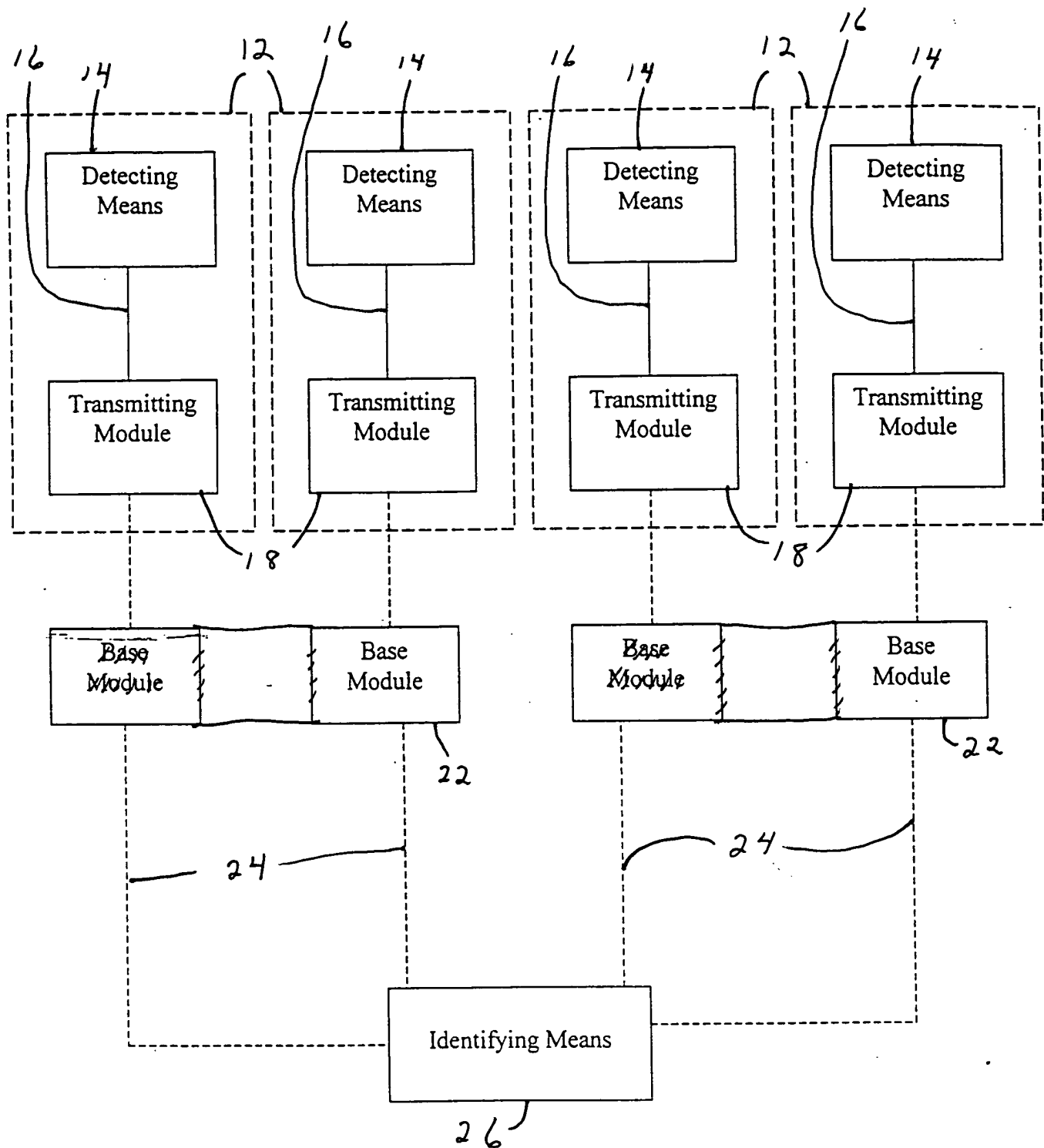


Fig. 2

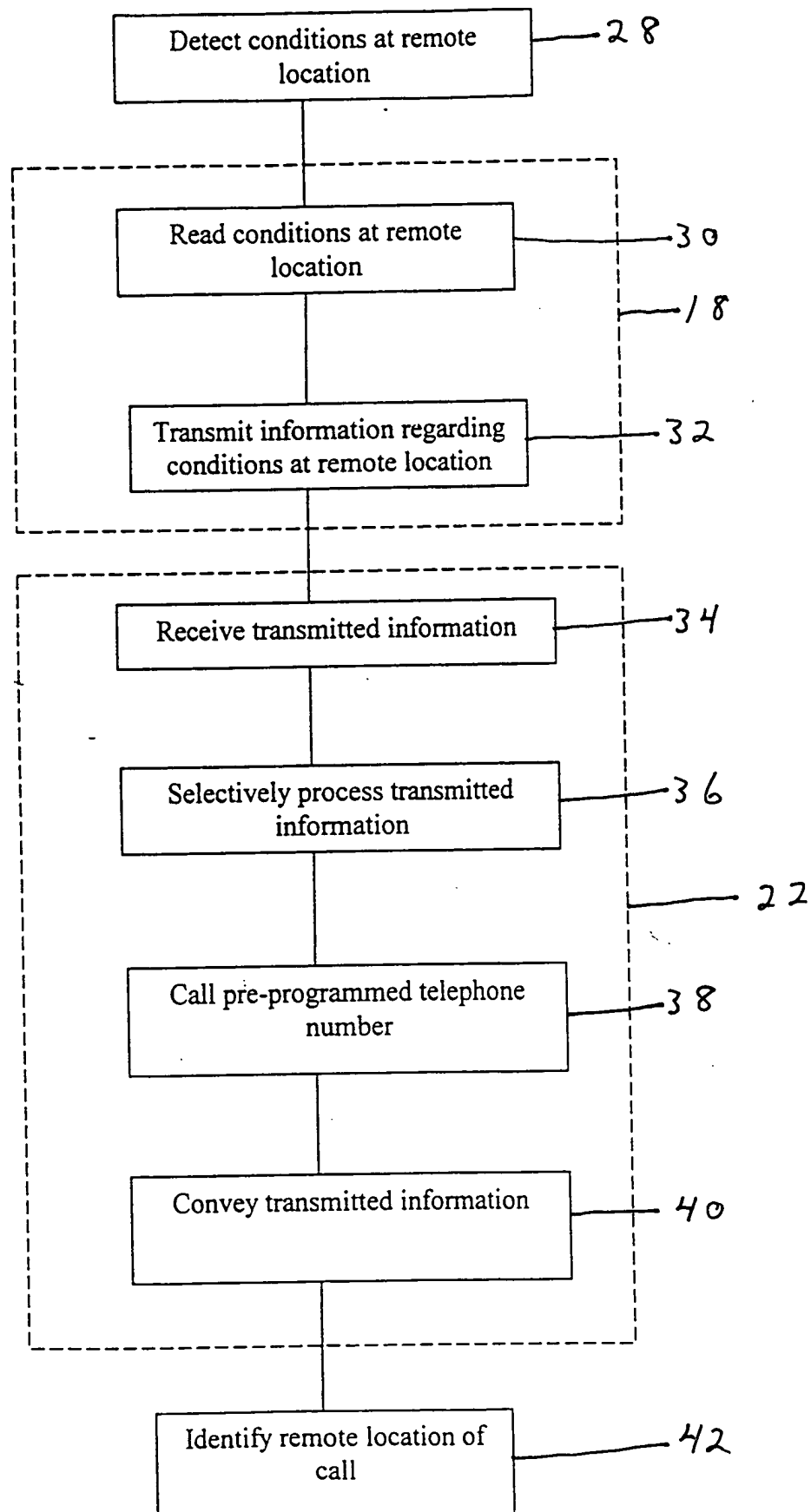


Fig. 3

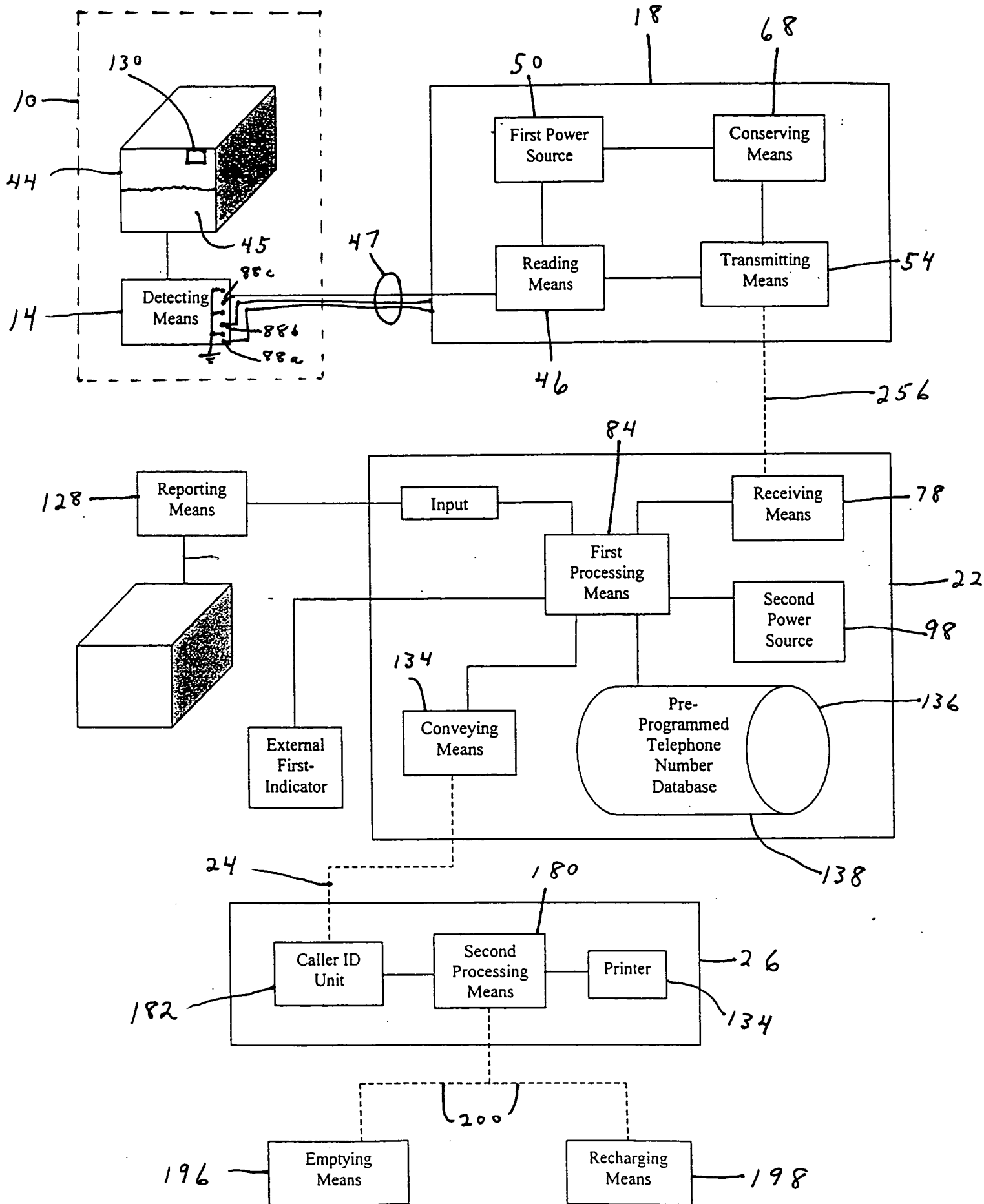


Fig 3A

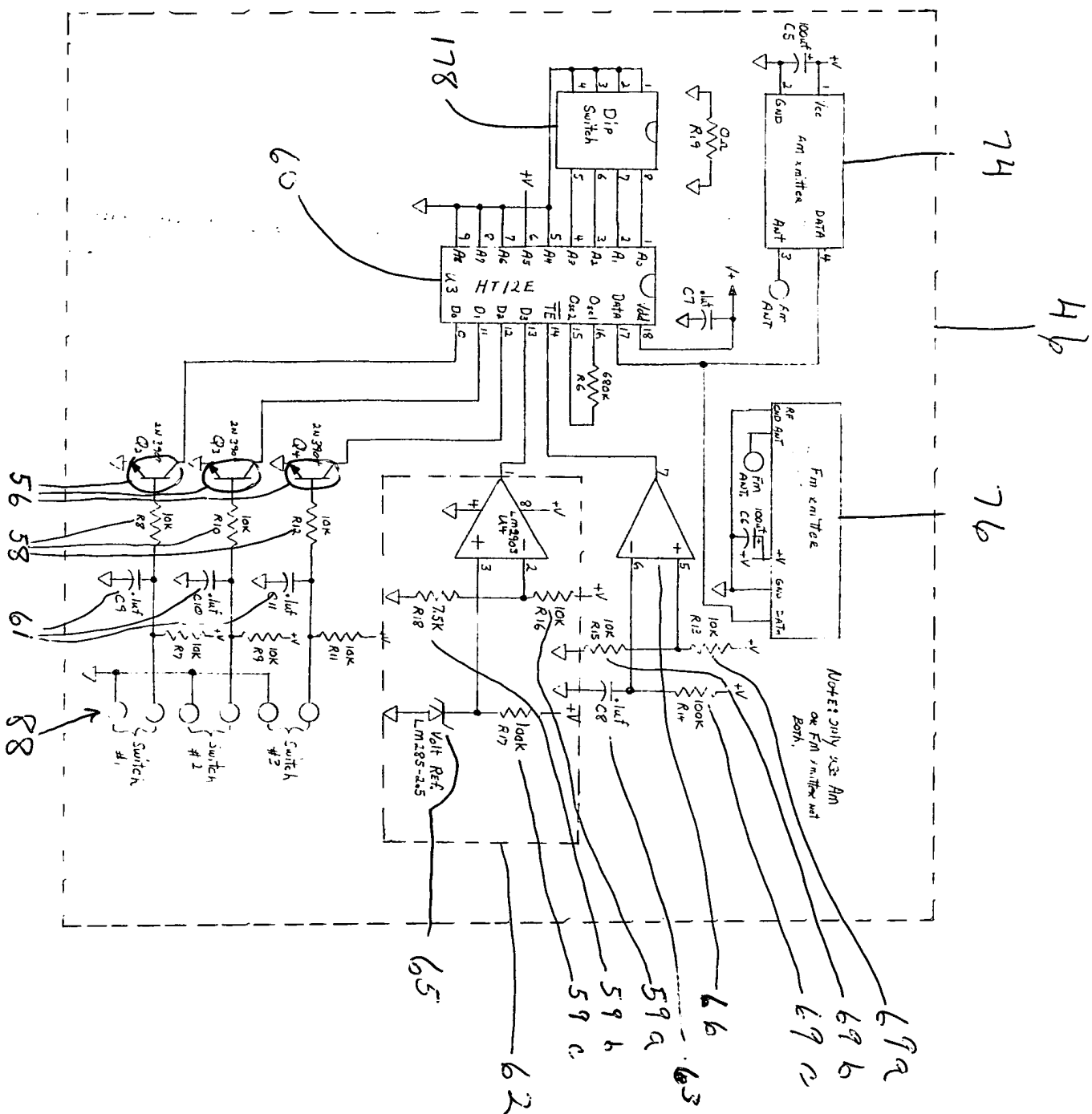


Fig 3B

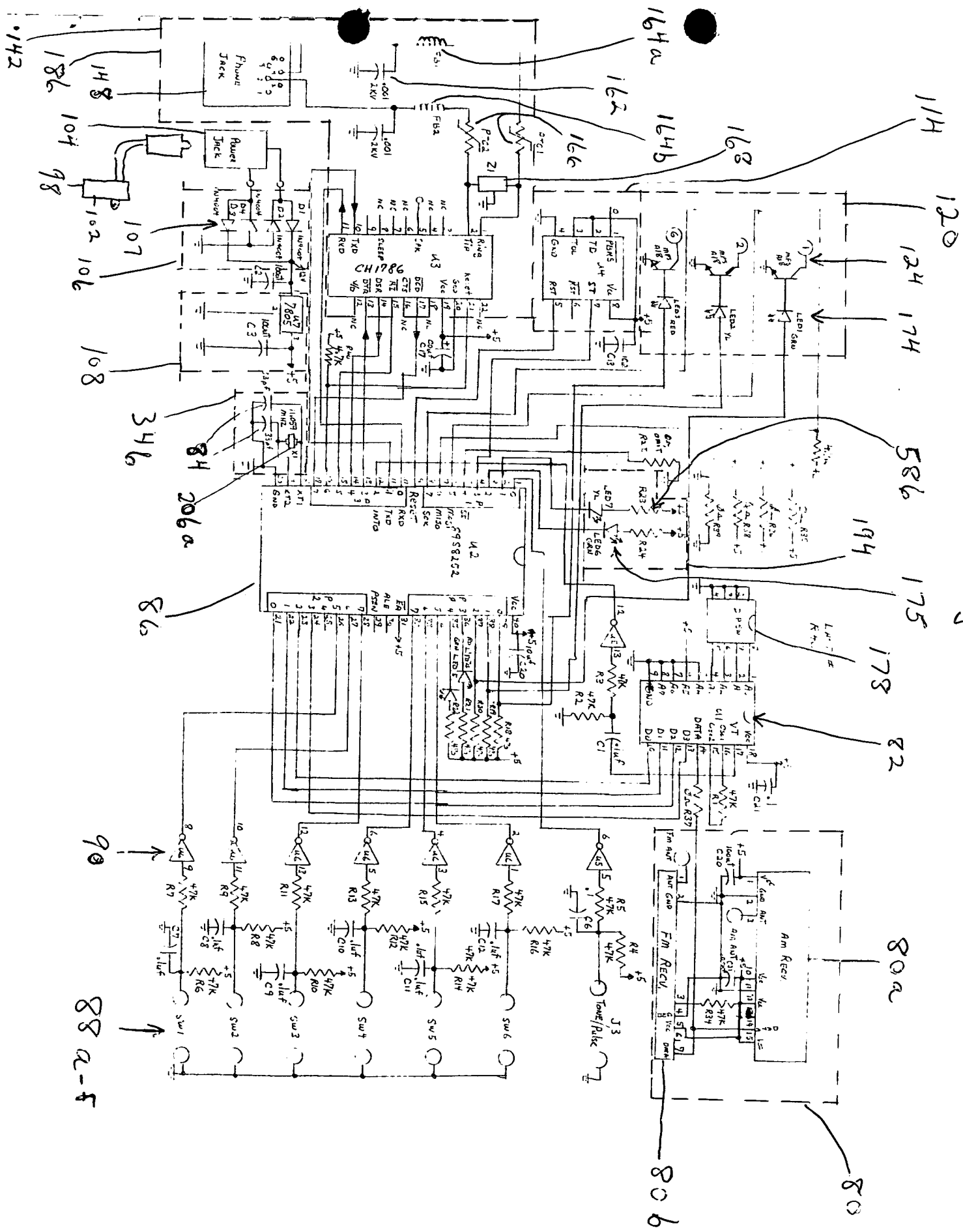


Fig. 4

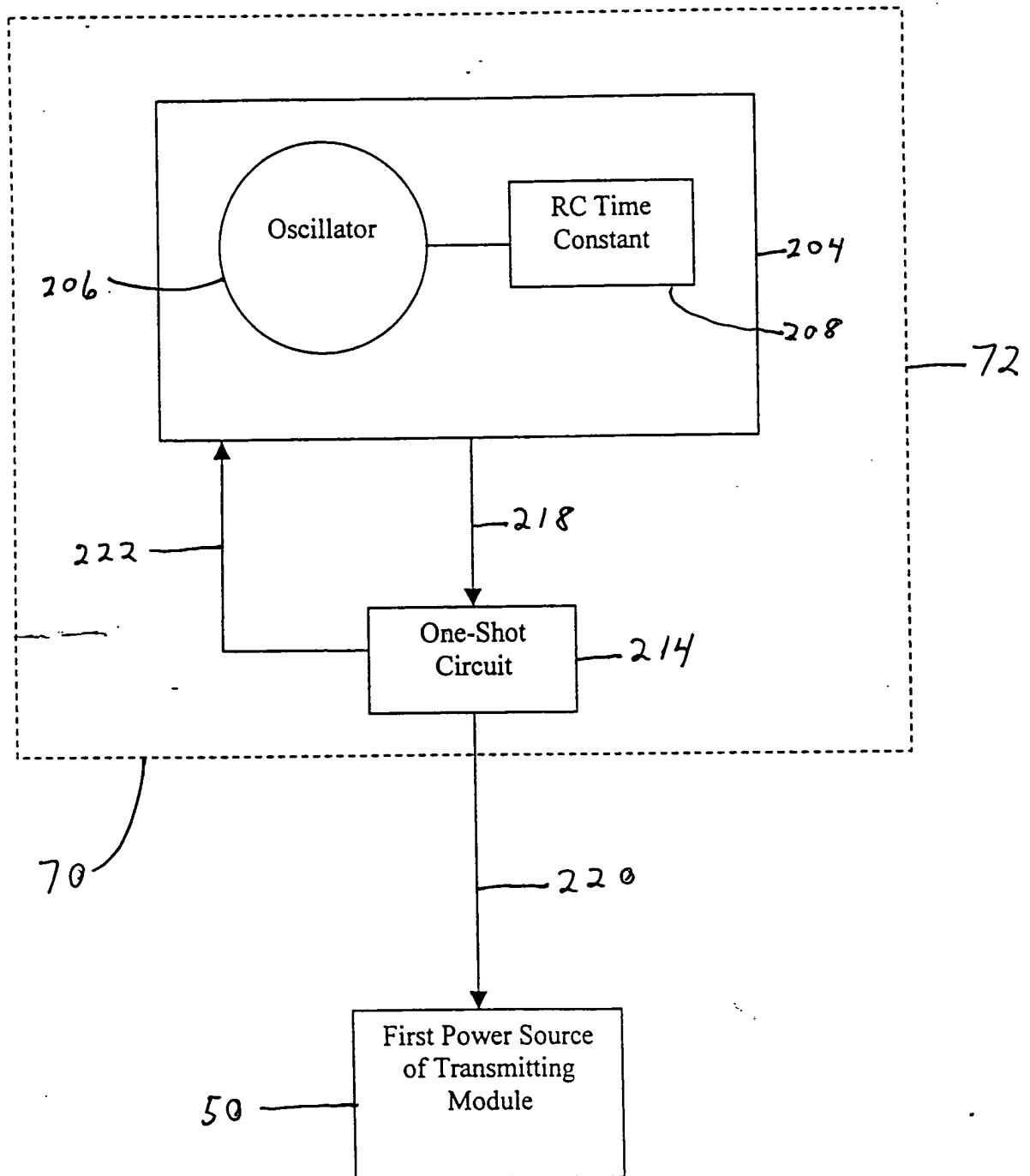


Fig. 5

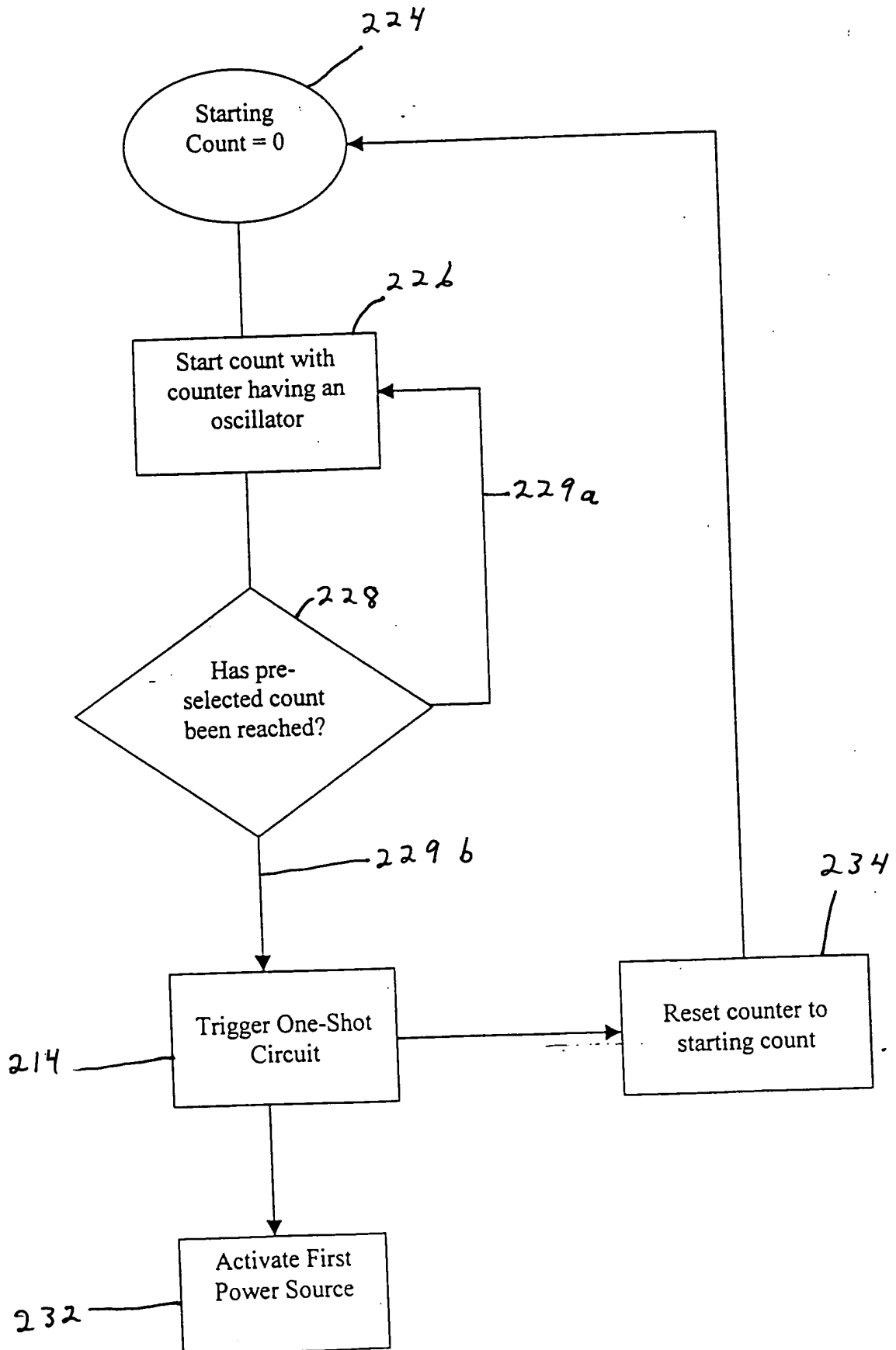
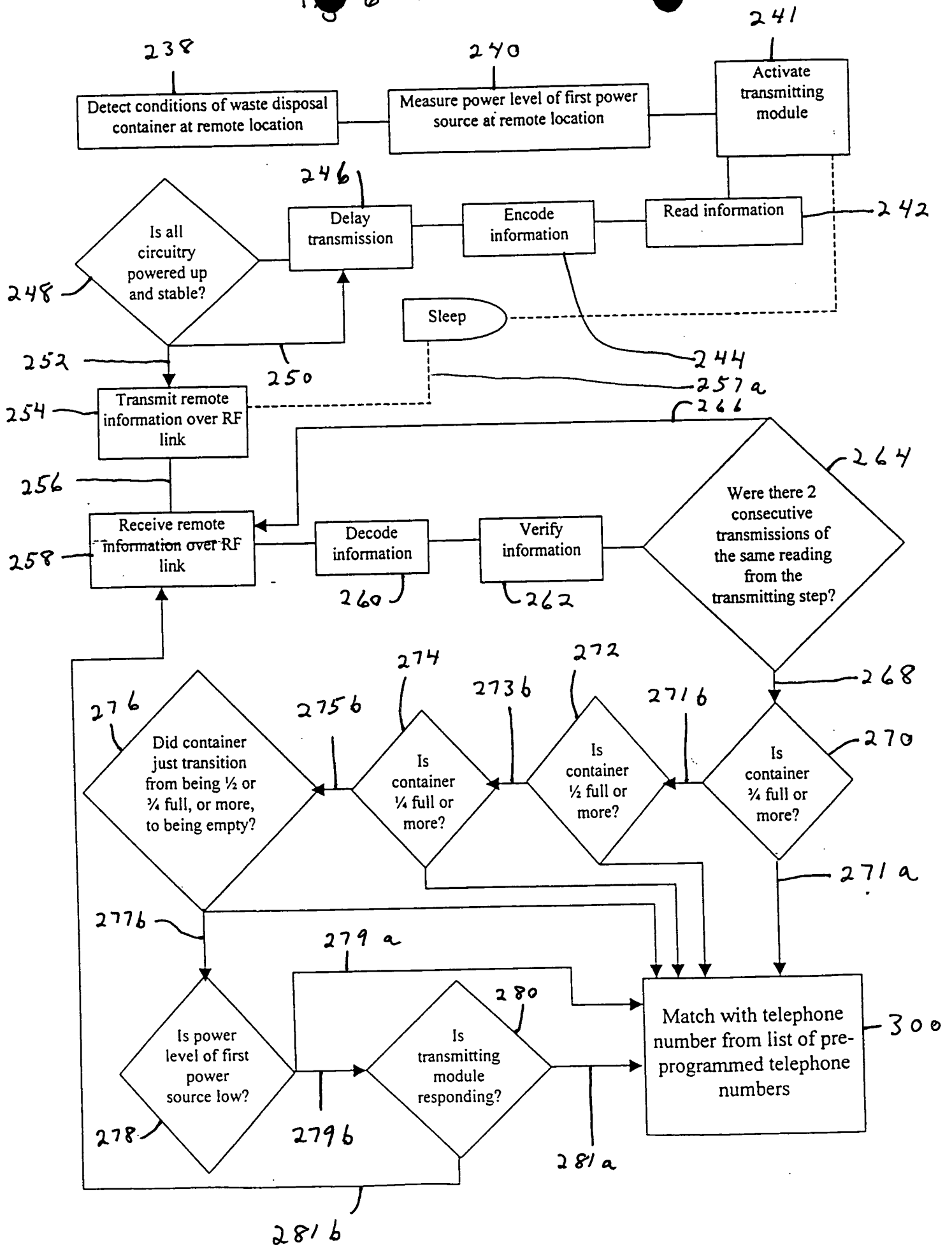


Fig 6 A



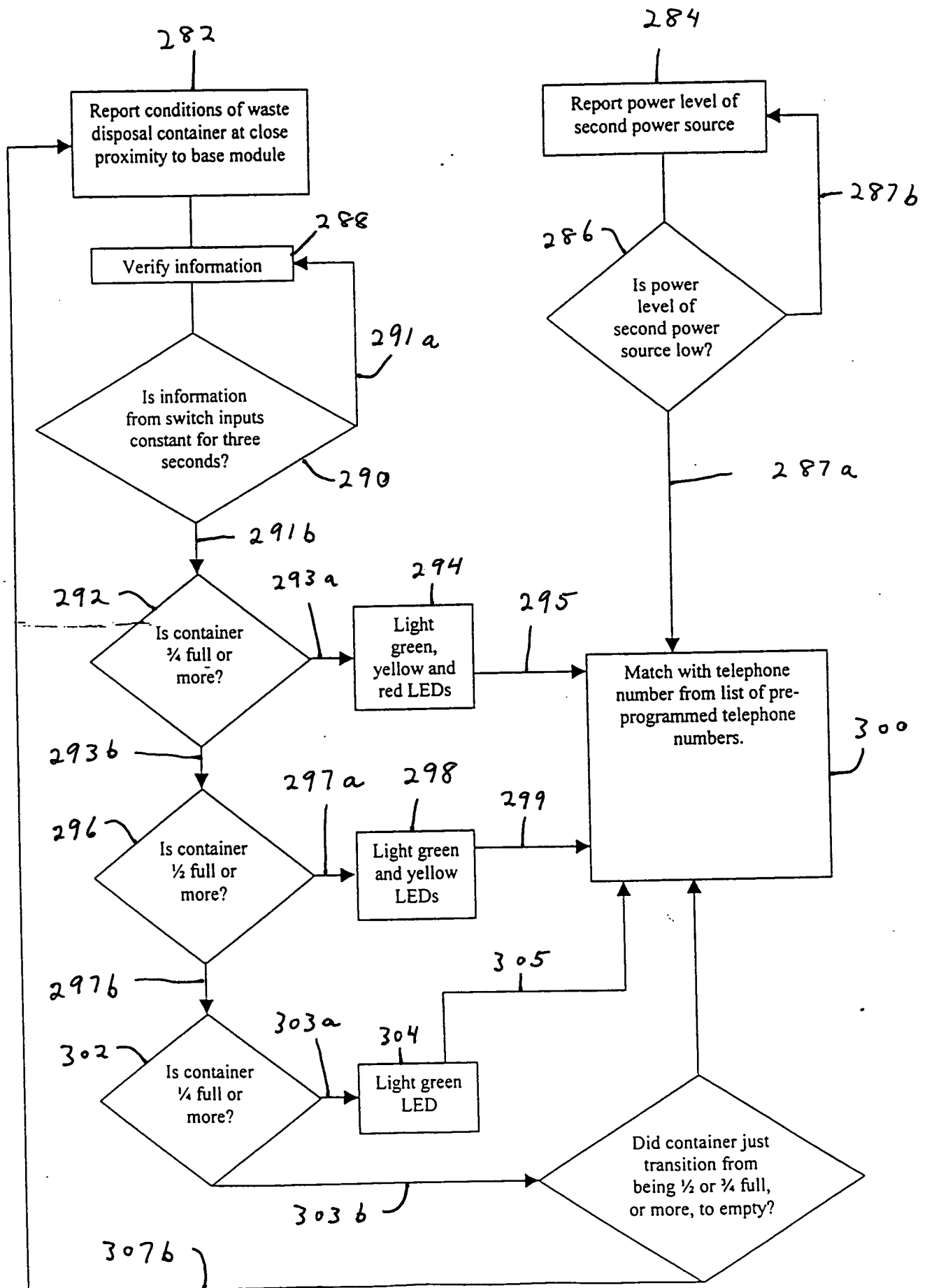


Fig. 6C

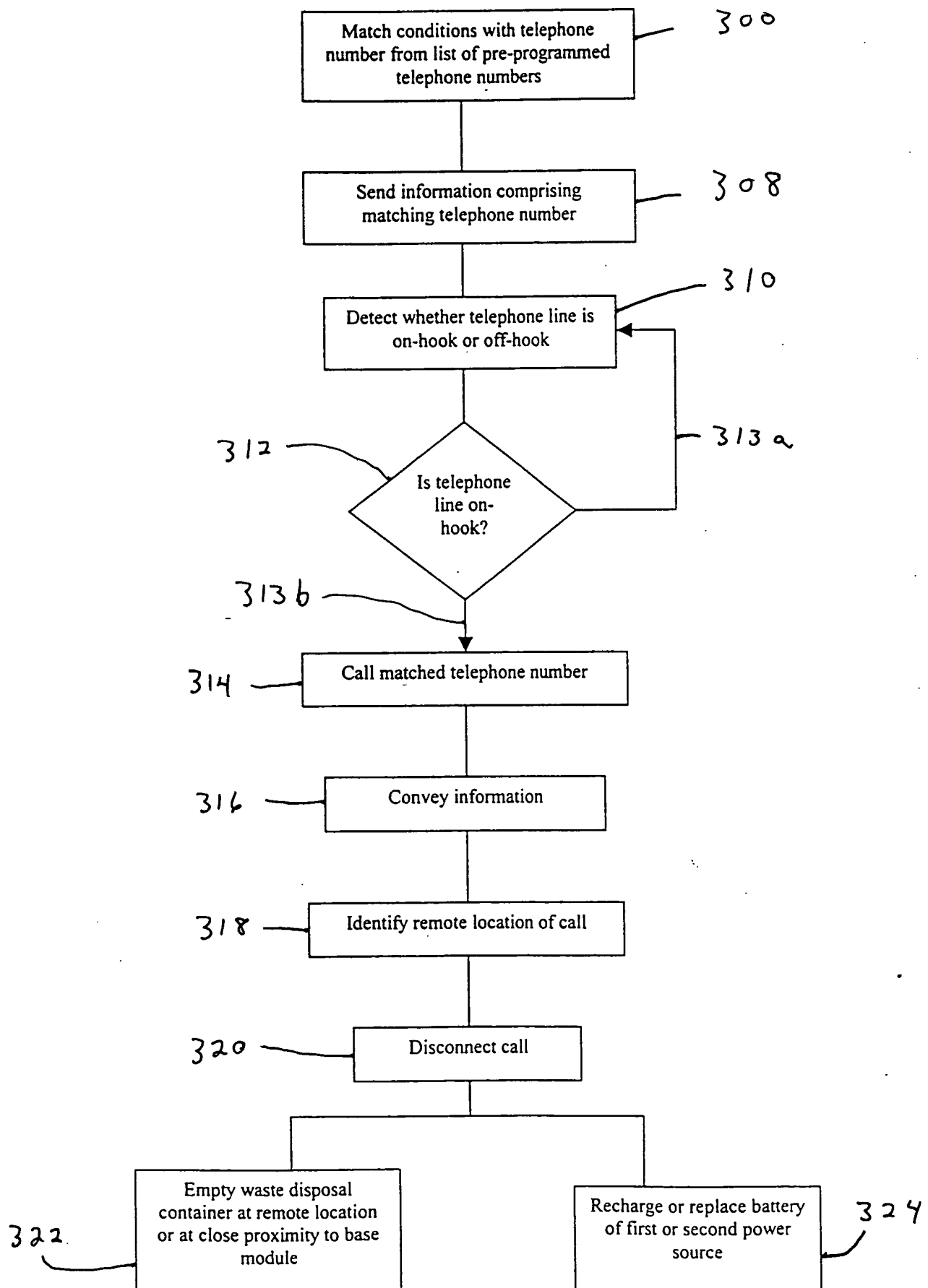


Fig. 7

